

COUNTY OF YORK

MEMORANDUM

DATE: November 8, 2001 (BOS Mtg. 12/04/01)

TO: York County Board of Supervisors

FROM: James E. Barnett, County Attorney

SUBJECT: Authorization of Execution of Document Conferring the Yorktown Freight Shed Building to Yorktown Freight Shed, L.P.

In connection with the proposed relocation and renovation of the Yorktown Freight Shed Building (formerly used as the Yorktown Post Office), the County has been working with the Richmond law firm of Kutak Rock to implement a plan whereby the County will be able to utilize certain state and federal historic building renovation tax credits, potentially saving the County as much as one-third of the entire project cost. As part of the plan, title to the Freight Shed Building will be conveyed to Yorktown Freight Shed, L.P., a limited partnership, which will thereafter direct the relocation and renovation work using funds derived from a loan to be made by the York County Industrial Development Authority.

Title to the Freight Shed Building is currently held by the National Park Service through a deed which provides that title to the building will revert to the Yorktown Trustees (the original owner of the land on which the building sits) at such time as the Park Service shall cease its use of the building. The attached document, to be executed by the National Park Service, the Yorktown Trustees, and the County, acknowledges that the Park Service has abandoned its use of the building, thereby allowing title to revert to the Yorktown Trustees, who then convey the building to Yorktown Freight Shed, L.P. The County is joining this document as a party to acknowledge that it has consented to the conveyance of the building to the partnership, and has assigned to the partnership the County's right to receive title to the building from the Trustees as provided in the Yorktown Waterfront Joint Development Agreement previously executed between the Yorktown Trustees and the County. Because the County is not actually conveying title by this document, no public hearing is necessary. For your information, County staff have been advised as of this date that the Park Service has approved the execution of the document. The Yorktown Trustees are expected to approve the document at a meeting scheduled for Monday, November 12, 2001.

Attached is Resolution R01-210, which, if approved, will authorize the County Administrator or the Board Chairman to execute the attached document. On September 18, 2001, the Board adopted Resolution R01-156, which authorized the execution of a similar document which would have conveyed the building to the County. The plan to utilize historic building renovation tax credits has arisen since that time, requiring the adoption of a new resolution to approve the execution of the revised document. I recommend the adoption of Resolution R01-210.

Barnett/3440:swb

Attachments

- Confirmation of Reversion of Title to Property, Agreement for Relocation and Renovation of Building, and Deed to Building
- Resolution R01-210